



---

## Minutes of MAYOR AND COUNCIL Meeting

---

Approved by Mayor and Council  
on June 12, 2007

Date of Meeting: April 17, 2007

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:33 p.m. on Tuesday, April 17, 2007, all members having been notified of the time and place thereof.

### 1. **ROLL CALL**

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

**Present:**

José J. Ibarra	Council Member Ward 1
Carol W. West	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

**Absent:**

Shirley C. Scott	Vice Mayor, Council Member Ward 4
------------------	-----------------------------------

**Staff Members Present:**

Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Mike Letcher	Deputy City Manager

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Natasha Korshak, Interfaith Contemplative Minister and Director of Mindfulness, Yoga, and Meditation at Miraval Resort, after which the pledge of allegiance was led by Dorothy Hanley, the Poppy Princess.

Presentations:

- a. Mayor Walkup proclaimed May 5, 2007, and May 6, 2007, to be “American Legion Auxiliary Memorial Poppy Days.” Shirley Butcher was there to accept the proclamation.
- b. Mayor Walkup, along with Levonne Gaddy, Community Services Manager for the Department of Neighborhood Resources, presented certificates and checks to Jazabel Castillo, Angelica Sustaita-Bowman, Olivia Goff, and Zechariah Jahi, the winners of the “Graffiti Free Community” Poster Contest.
- c. Mayor Walkup proclaimed April 17, 2007, to be “Outstanding Teen Citizen Day.” Andres Cano was there to accept the proclamation.
- d. The “Outstanding Teen Citizen Awards” were presented to Alex Chernobelskiy, Alexandria Escalante, Amber Horvath, Billy Morrison, Chandria Mosher, Edward Gillmore, Jesse Geborkoff, Laura Schaum, Sean Takerian, and Shaina Shay and the “Crystal Apple Youth Award” was presented to Chantal Tellez Koestel.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager’s communication number 203, dated April 17, 2007, would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Council Member Uhlich congratulated the Flowing Wells Neighborhood Association and Community Coalition for being selected as a HUD revitalization area finalist for the All American City Award of the National Civic League.
- b. Council Member West reported that from 2000 to 2004 the City of Tucson had converted over three hundred sixty traffic signals from incandescent lights to low-energy lights. She announced this had resulted in a cost savings and had benefited maintenance activities in the Transportation Department.
- c. Mayor Walkup asked for a moment of silence in remembrance of the thirty-two victims of the Virginia Tech shooting, their families and friends.

#### **4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 204, dated April 17, 2007, would be received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Mike Letcher, Deputy City Manager reported:

- a. Vice Mayor Scott and the Ward 4 staff, the Pima County Health Department and City Manager's Office were having a Town Hall on local efforts to prepare for the West Nile Virus season. The Town Hall would be held on April 25th, 2007, in the Clements Center Multipurpose Room.

Kathleen S. Detrick, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

#### **5. LIQUOR LICENSE APPLICATIONS**

Mayor Walkup announced City Manager's communication number 206, dated April 17, 2007, would be received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Applications

Person/Location Transfer(s)

1. Circle K Store #1583, Ward 1  
1401 W. Grant Rd.  
Applicant: Kim Kenneth Kwiatkowski  
Series 9, City 19-07  
Action must be taken by: May 6, 2007  
Staff has indicated the applicant is in compliance with city requirements.

- c. Special Event(s)

1. Arizona Theatre Company, Ward 6  
330 South Scott Ave.  
Applicant: Eileen Marie Bagnall  
City T25-07  
Date of Event: April 22, 2007  
(Benefit Fashion Show)  
Staff has indicated the applicant is in compliance with city requirements.

2. Tucson Kitchen Musicians, Ward 1  
140 N. Main Ave.  
Applicant: Katherine Page Burdick  
City T28-07  
Date of Event: May 5, 2007 - May 6, 2007  
(To Give the Community of Tucson a Free Music Event)  
Staff has indicated the applicant is in compliance with city requirements.
3. St. Cyril of Alexandria Parish School, Ward 6  
4725 E. Pima St.  
Applicant: John Howland Taber  
City T29-07  
Date of Event: April 28, 2007  
(Fundraiser for Parish School)  
Staff has indicated the applicant is in compliance with city requirements.
4. CODAC Behavioral Health Services, Inc., Ward 2  
4644 E. Ft. Lowell Rd.  
Applicant: Cassie Huisman  
City T30-07  
Date of Event: May 5, 2007  
(Fundraiser Event for CODAC Behavioral Health)  
Staff has indicated the applicant is in compliance with city requirements.
5. Congregation Chaverim, Ward 6  
5901 E. 2nd Street  
Applicant: John Velez  
City T32-07  
Date of Event: May 5, 2007  
(Fundraiser)  
Staff has indicated the applicant is in compliance with city requirements.
6. Catalina Rotary Club, Ward 3  
4502 N. 1st Ave.  
Applicant: Peter Albert Walsh  
City T35-07  
Date of Event: May 5, 2007  
(Fundraising Event to Help Southern Arizona Organization)  
Staff has indicated the applicant is in compliance with city requirements.

7. It's Happening Downtown, Inc., Ward 6  
26 E. Congress  
Applicant: Melinda Elisabeth Dickinson  
City T37-07  
Date of Event: May 4, 2007 - May 5, 2007  
(Civic Event Providing Music)  
Staff has indicated the applicant is in compliance with city requirements.
8. It's Happening Downtown, Inc., Ward 6  
110 S. Church Ave.  
Applicant: Melinda Elisabeth Dickinson  
City T38-07  
Date of Event: May 4, 2007 - May 5, 2007  
(Civic Event Providing Music)  
Staff has indicated the applicant is in compliance with city requirements.
9. It's Happening Downtown, Inc., Ward 6  
5th Avenue, between Congress & Broadway  
Applicant: Melinda Elisabeth Dickinson  
City T39-07  
Date of Event: May 5, 2007  
(Civic Event Providing Music)  
Staff has indicated the applicant is in compliance with city requirements.
10. Tucson Jewish Community Center, Ward 2  
3800 E. River Rd.  
Applicant: Denise Blumenthal  
City T40-07  
Date of Event: May 6, 2007  
(Israel Independence Day Celebration)  
Staff has indicated the applicant is in compliance with city requirements.
11. Beowulf Alley Theatre Company, Ward 6  
11 S. 6th Avenue  
Applicant: Beth A. Dell  
City T41-07  
Date of Event: May 6, 2007  
(Fundraiser for Theatre Company)  
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

1. New Delhi Palace, Ward 2  
6751 E. Broadway  
Applicant: Sailesh Balakrishnan  
Series 12, City AC2-07  
Action must be taken by: May 12, 2007  
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member West, duly seconded, and carried by a voice vote of 6 to 0, (Vice Mayor Scott absent/excused), to forward liquor license applications 5b1, 5c1 through 5c11, and 5d1, to the Arizona State Liquor Board with a recommendation for approval.

**6. CALL TO THE AUDIENCE**

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations and the call to the audience was scheduled to last for thirty minutes.

- a. Karen Oscar requested the City condemn her driveway and walkway because it was unsafe and said it was the only way to get it fixed.
- b. Robert Reus thanked the Council for working to benefit Access Tucson in the Cox License Renewal. Mr. Reus also said there should be no time limit on Call to the Audience.
- c. Michael Toney spoke about Rio Nuevo and the possible effects on South Tucson. He also read a statement about the world's fastest computer chip.
- d. Rob Blizzard requested the Mayor and Council Transportation Subcommittee change their meeting dates and time so it would not conflict with the Commission on Disability Issues meetings.
- e. Bishop Chicago spoke about drugs in the community and the need for more resources for rehabilitation.
- f. Noel Soto spoke in support of Bishop Chicago's comments.
- g. Randy Ford spoke regarding El Ojito Springs.
- h. Russ Dove spoke about free speech and his efforts to press charges against people he said assaulted him.

- i. Norm Houda spoke in support of the petition, regarding Brad Holland, presented by James Davis to the Council at the meeting held on April 10, 2007.

## **7. CONSENT AGENDA – ITEMS A THROUGH K**

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda Items would be received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

- A. ASSURANCE AGREEMENT: (S04-061) MOHAVE DUPLEX GROUP SUBDIVISION, LOTS 1 TO 5
    - 1. Report from City Manager APRIL17-07-211 WARD 3
    - 2. Resolution No. 20635 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S04-061 of a final plat for the Mohave Duplex Group Subdivision, Lots 1 to 5; and declaring an emergency.
  - B. FINAL PLAT: (S04-061) MOHAVE DUPLEX GROUP SUBDIVISION, LOTS 1 TO 5
    - 1. Report from City Manager APRIL17-07-212 WARD 3
    - 2. Staff recommends that, after approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant was advised that building/occupancy permits were subject to the availability of water/sewer capacity at the time of actual application.
  - C. PUBLIC IMPROVEMENTS: PANTANO WASH, NORTH OF BROADWAY BOULEVARD DISTRICT BANK PROTECTION IMPROVEMENT
    - 1. Report from City Manager APRIL17-07-207 WARD 2
    - 2. Resolution No. 20621 Resolution fixing the time when Mayor and Council of the City of Tucson would hear and pass upon the assessments and proceedings theretofore had and taken for the improvement known as the “Pantano Wash, North of Broadway Boulevard District Bank Protection Improvement” in the City of Tucson, Arizona.
- Item C was continued at the request of Council Member West.

- D. PUBLIC IMPROVEMENT: BROADWAY BOULEVARD, KOLB ROAD TO PANTANO ROAD DISTRICT LIGHTING IMPROVEMENT
1. Report from City Manager APRIL17-07-208 WARD 2
  2. Resolution No. 20622 Resolution fixing the time when Mayor and Council of the City of Tucson would hear and pass upon the assessments and proceedings theretofore had and taken for the improvement known as the "Broadway Boulevard, Kolb Road to Pantano Road District Lighting Improvement" in the City of Tucson, Arizona.
- E. REAL PROPERTY: LEASE AGREEMENT WITH CLEAN ENERGY FOR CITY-OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF KINO PARKWAY AND WINSETT STREET
1. Report from City Manager APRIL17-07-209 WARD 5
  2. Ordinance No. 10390 relating to real property; authorizing and approving the lease of certain city-owned real property located at 1755 East Winsett Street to Clean Energy; and declaring an emergency.
- F. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR THE LOW-INCOME UTILITY BILL ASSISTANCE PROGRAM
1. Report from City Manager APRIL17-07-202 CITY-WIDE AND OUTSIDE CITY
  2. Resolution No. 20636 relating to Intergovernmental Agreements; authorizing and approving the execution of a First Amendment to the Intergovernmental Agreement between the City of Tucson and Pima County to provide Low-Income Water Bill and Environmental Service Bill Assistance for Fiscal Years 2007, and 2008; and declaring an emergency.
- G. INTERGOVERNMENTAL AGREEMENT: WITH TUCSON UNIFIED SCHOOL DISTRICT FOR THE EXPLORING OUR FUTURE PROJECT
1. Report from City Manager APRIL17-07-201 CITY-WIDE
  2. Resolution No. 20637 relating to Intergovernmental Agreements; approving and authorizing execution of an Intergovernmental Agreement between the City of Tucson and Tucson Unified School District for the Exploring Our Future Project; and declaring an emergency.



H. APPROVAL OF MINUTES

1. Report from City Manager APRIL17-07-213 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on February 27, 2007.

I. FINANCE: COMMUNITY SUPPORT FUND TRANSFER FOR THE RICHLAND HEIGHTS NEIGHBORHOOD ASSOCIATION

1. Report from City Manager APRIL17-07-215 WARD 3
2. Resolution No. 20638 relating to Finance; approving and authorizing the allocation of five hundred dollars (\$500) from the Community Support Fund, Account No. 001-183-1898-268, to the Richland Heights Neighborhood Association to assist in the cost to cover the planning for a comprehensive neighborhood plan; and declaring an emergency.

This was a request by Council Member Uhlich. Allocation of funds was as follows: Council Member Uhlich - \$500.00

J. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE BLACK WOMEN'S TASK FORCE

1. Report from City Manager APRIL17-07-214 WARD 2
2. Resolution No. 20639 relating to Finance; approving and authorizing the allocation of two hundred twenty five dollars (\$225) from the Community Support Fund, Account No. 001-183-1898-268, to the Black Women's Task Force to sponsor scholarships for three women to attend the Conference 2007, "Balancing Your Life" on April 20, 2007; and declaring an emergency.

This was a request by Council Member West. Allocation of funds was as follows: Council Member West- \$225.00

K. FINANCE: REQUEST FOR FUNDS FOR THE UDALL FOUNDATION

1. Report from City Manager APRIL17-07-217 CITY-WIDE
2. Resolution No. 20643 relating to Finance; approving and authorizing the expenditure of Ten Thousand Dollars (\$10,000) to support the Udall Foundation's 10<sup>th</sup> Anniversary Biodiesel Bus Tour; and declaring an emergency.

Item K was continued, to the April 24, 2007 meeting, at the request of Council Member Uhlich

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Consent Agenda Items A through J, with the exception of Items C and K which would be continued, and the proper action taken.

Mayor Walkup asked if there was further discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Leal, and Trasoff;  
and Mayor Walkup

Nay: None

Absent/Excused Vice Mayor Scott

Consent Agenda Items A through J, with the exception of Items C and K which were continued, were declared passed and adopted by a roll call vote of 6 to 0.

**8. ZONING: (C9-06-28) TAYLOR – WILMOT ROAD, R-1 TO O-2, CITY MANAGER’S REPORT**

Mayor Walkup announced City Manager’s communication number 210, dated April 17, 2007, would be received into and made a part of the record. He also announced this was a request to rezone property located on the west side of Wilmot Road between Eli Street and Sixteenth Street. The Zoning Examiner and the City Manager recommended approval subject to certain conditions. Mayor Walkup asked if the applicant or representative was present and if they were aware of and agreeable to the proposed conditions.

Michael Taylor, the applicant, said he was aware of and agreeable to the proposed conditions.

It was moved by Council Member Trasoff, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner.

Mayor Walkup asked if there was any discussion. Upon hearing none, he called for a vote on the motion.

The motion to approve the rezoning with proposed conditions was carried by a voice vote of 6 to 0 (Vice Mayor Scott absent/excused).

**9. WATER: ADOPTING TUCSON WATER'S FINANCIAL PLAN FOR FISCAL YEARS 2007 THROUGH 2012**

Mayor Walkup announced City Manager's communication number 216, dated April 17, 2007, would be received into and made a part of the record. He asked the City Clerk to read Resolution 20640, by number and title only.

Resolution No. 20640 relating to Tucson Water; authorizing and adopting the Tucson Water Financial Plan for the period from fiscal year 2007 through fiscal year 2012; and declaring an emergency.

It was moved by Council Member Leal, duly seconded, to pass and adopt Resolution 20640.

Mayor Walkup asked if there was any discussion. Upon hearing none, he called for a roll call vote.

Upon roll call, the results were:

Aye: Council Members West, Uhlich, Leal, and Trasoff; and Mayor Walkup

Nay: Council Member Ibarra

Absent/Excused Vice Mayor Scott

Resolution 20640 was declared passed and adopted by a roll call of 5 to 1.

Kathleen S. Detrick, City Clerk, asked the Mayor for a separate roll call vote for the sole purpose of the emergency clause.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Leal, and Trasoff; and Mayor Walkup

Nay: None

Absent/Excused Vice Mayor Scott

Resolution 20640 was declared passed and adopted by a roll call vote of 6 to 0 with the Emergency Clause.

**10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 205, dated April 17, 2007, would be received into and made a part of the record. Mayor Walkup asked if there were any personal appointments to be made. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Leal, duly seconded, and carried by a voice vote of 6 to 0, to reappoint Patricia Wiedhopf to the Metropolitan Education Commission in the Libraries/Museums/Arts category.

Mayor Walkup asked if there were any personal appointments to be made. There were none.

**11. ADJOURNMENT: 6:27 p.m.**

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, April 24, 2007, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

---

MAYOR

ATTEST:

---

CITY CLERK

**CERTIFICATE OF AUTHENTICITY**

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 17<sup>th</sup> day of April 2007, and do hereby certify that it is an accurate transcription.

---

DEPUTY CITY CLERK

KSD:eg:jr